

INTERNATIONAL SEARCH REPORT

International Application No
PCT/GB2005/000630

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 G06F17/30 H04L29/06 H04M1/725 G06F9/44

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 G06F H04M

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, IBM-TDB, INSPEC

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2002/151327 A1 (LEVITT DAVID) 17 October 2002 (2002-10-17)	1-3, 5-7, 9
Y	paragraphs '0003! - '0016!, '0024!, '0025!, '0069! - '0073!, '0220! - '0232! -----	4, 8
Y	US 2003/236917 A1 (GIBBS MATTHEW E ET AL) 25 December 2003 (2003-12-25) paragraphs '0004! - '0007!, '0020! - '0038! -----	4, 8
Y	'Online! XP000238840 Retrieved from the Internet: URL:HTTP:WWW.MSMOBILES.COM> 'retrieved on 2003-11-28! the whole document Retrieved on 18-05-2005. Publication date is 28-05-2003. ----- -/-	4, 8

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

& document member of the same patent family

Date of the actual completion of the international search

24 May 2005

Date of mailing of the international search report

02/06/2005

Name and mailing address of the ISA

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 03/077140 A (THACKER, PETER; PIZARRO, WENDY; PIZARRO, GERARD; CHAN, ALEXANDER) 18 September 2003 (2003-09-18) paragraphs '0015! - '0021!; figure 1 -----	1-9
A	EP 1 369 842 A (PRECISA INSTRUMENTS AG) 10 December 2003 (2003-12-10) paragraphs '0026! - '0038! -----	1-9
A	US 2003/158969 A1 (GIMSON ROGER BRIAN ET AL) 21 August 2003 (2003-08-21) paragraphs '0030! - '0038! -----	1-9

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB2005/000630

Patent document cited in search report	Publication date	Patent family member(s)			Publication date
US 2002151327	A1 17-10-2002	WO 02052540	A1	04-07-2002	
US 2003236917	A1 25-12-2003	NONE			
WO 03077140	A 18-09-2003	AU WO 03077140	A1 A1	22-09-2003 18-09-2003	
EP 1369842	A 10-12-2003	EP EP US	1369842 A1 1416461 A2 2004012620 A1	10-12-2003 06-05-2004 22-01-2004	
US 2003158969	A1 21-08-2003	GB	2384878 A	06-08-2003	

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

REC'D 31 MAY 2005

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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

		Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)	
Applicant's or agent's file reference see form PCT/ISA/220		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/GB2005/000630	International filing date (day/month/year) 21.02.2005	Priority date (day/month/year) 19.02.2004	
International Patent Classification (IPC) or both national classification and IPC G06F17/30, H04L29/06, H04M1/725, G06F9/44			
Applicant QUALCOMM CAMBRIDGE LIMITED			

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1 b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:	Authorized Officer
 European Patent Office - Gitschiner Str. 103 D-10958 Berlin Tel. +49 30 25901 - 0 Fax: +49 30 25901 - 840	Bowler, A Telephone No. +49 30 25901-448
	

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2005/000630

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material:
 in written format
 in computer readable form
 - c. time of filing/furnishing:
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

Box No. II Priority

1. The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43bis.1 and 64.1) is the claimed priority date.
2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	4,8
	No: Claims	1-3,5-7,9
Inventive step (IS)	Yes: Claims	
	No: Claims	4,8
Industrial applicability (IA)	Yes: Claims	1-9
	No: Claims	

2. Citations and explanations

see separate sheet

1. Reference is made to the following documents:

D1: US 2002/151327 A1 (LEVITT DAVID) 17 October 2002 (2002-10-17)
D2: US 2003/236917 A1 (GIBBS MATTHEW E ET AL) 25 December 2003 (2003-12-25)
D3: [Online] XP000238840 28 NOV 2003 Retrieved from the Internet:
URL:HTTP:77WWW.MSMOBILES.COM> [retrieved on 2003-11-28]
D4: WO 03/077140 A (THACKER, PETER; PIZARRO, WENDY; PIZARRO, GERARD; CHAN, ALEXANDER) 18 September 2003 (2003-09-18)
D5: EP-A-1 369 842 (PRECISA INSTRUMENTS AG) 10 December 2003 (2003-12-10)
D6: US 2003/158969 A1 (GIMSON ROGER BRIAN ET AL) 21 August 2003 (2003-08-21)

2. Article 6 PCT requires that:

2.1 The claim or claims shall define the matter for which protection is sought. Claims shall be clear and concise. They shall be fully supported by the description. The present claims are considerably broader than the invention as disclosed. The main point of the invention (as disclosed in the background of the invention page 1) is to retain some control over certain aspects of device user interfaces, while providing the flexibility and customisation which is often desirable. This is not reflected in the claims. The virtual file system described in the Abstract of the invention is never defined by the claims. Applicant is advised to focus the claim language on what is meant to be the invention.

3. Novelty

Independent claims 1 and 5 do not meet the requirements of the PCT in the respect to novelty (Article 33(2) PCT), the reasons being as follows:

D1 discloses:

A device comprising a storage means (fig.1, databases 54; par. 68) for storing a plurality of data resources (TV,CD,Movie) (also remote storage on network 26)

a file system (figure 6, paragraph 221) for organising the plurality of data resources stored in the storage means;

and a user interface (interface software 52 taken together with handheld device 22 and liquid crystal display 38; par. 67-68) for providing user access to the plurality of data resources, (par. 24)

wherein the file system comprises one or more locations comprising directly addressable data resources (paragraph 11; entertainment device 24) and

one or more locations comprising indirectly addressable data resources (paragraph 11; network connection 26),

the indirectly addressable data resources being accessible through a data provider, (another networked device paragraph, paragraph 227)

the file system being configured, in use, to provide a single interface from the user interface to both directly addressable data resources and indirectly addressable data resources. (paragraph 221-223).

Thus claim 1 is not new.

Claim 2 defines "directly addressable data resources" as data content files which when in use are displayed within the user interface. (data content files such as from Entertainment devices 24 of fig 1. See pars. 69,70, 71)

Claim 3 defines the "indirectly addressable data resources" as a database and the result of one or more queries is displayed in the handset. (downloads from network 26, see paragraph 25, 72 and 73).

Claims 5-7 and 9 define corresponding method claims and are therefore deemed to be anticipated by the disclosure of D1 as well.

4. Inventive Step

4.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 4 and 8 does not involve an inventive step in the sense of Article 33(3) PCT.

4.2 The document D1 is regarded as being the closest prior art to the subject-matter

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

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claim 1 as set forth above.

Claims 4 and 8 define "indirectly addressable data resources" as markup language elements read as tags, which would be an obvious method for downloading content from a network such as the Internet since it is known from SGML, XML, WML, TRIGML.

The subject-matter of claims 4 and 8 differs from this known handheld program selector and guide system as there is no reference to mark-up language elements in D1.

The problem to be solved by the present invention may therefore be regarded as how to render content on the handheld device using markup language elements for formatting the content.

The solution proposed in claims 4 and 8 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons.

This feature is described in document D2 as well as D3, as providing the same advantages as in the present application. The skilled person would therefore regard it as a normal design option to include this feature in the device of applicant as described in document D2 and D3 in order to solve the problem posed.